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T-329 P.12/17 F-443

DEC 08 2006

Atty. Dkt. No. 57761.002041

Reply to Office Action dated Sept. 8, 2006  
Appl. No. 09/708,492

**REMARKS**

Applicant has carefully reviewed the Office Action ("Action") mailed September 8, 2006. This response includes amendments to claims 1, 11, and 22, and adds new claims 49-50. Claims 1-31 and 33-50 are pending in the application. Applicant respectfully requests reconsideration of this application in view of the following remarks.

I. REQUEST FOR CLARIFICATION OF ANY SUBSEQUENT OFFICE ACTION

Applicant respectfully request that the Office clarify any subsequent Office Action. To reject the claims, the Action relies on U.S. Patent No. 6,651,190 to Worley et al. ("Worley"). The Action cites column 6, lines 50-65 and FIG. 3 of Worley as allegedly anticipating the "plural network ports" and the "respective network link" of claim 1, and cites column 10, lines 20-22 as allegedly anticipating the "plural communication serial ports" of claim 1. Applicant is unclear as to what in Worley the Office is interpreting as anticipating the claimed: (1) *plural* network ports; (2) *plural* communication serial ports; (3) network link; and (4) *interrogating* a network link. Applicant respectfully requests that the Office more clearly identify what the Office is using in Worley as allegedly anticipating these claim elements. Specifically, in the interest of expediting prosecution, Applicant requests that the Office clarify the rejection by identifying a figure and identify a reference numeral in the figure, in addition to citing the column and line number, as well as provide a short explanation further discussing what in Worley allegedly anticipates these claim elements.

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## II THE CLAIM REJECTIONS BASED ON WORLEY

Claims 1-31 and 33-48 stand rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Worley. Applicant respectfully traverses.

Amended Claim 1 recites:

A multiple port unit adapted for coupling one or more computers to multiple peripheral devices over a network, said multiple port unit comprising:  
plural network ports, each of said network ports being configured to couple the multiple port unit to a computer over a respective network link;  
plural communication serial ports, each of said communication serial ports being configured to couple the multiple port unit to a peripheral device; and  
*a control unit to interrogate the network links and to communicatively couple said communication serial ports to a selected one of said network ports based on the interrogation of the network links, the control unit further determining whether it is time to interrogate the network links.*  
(Emphasis added.)

For at least the following reasons, Worley does not anticipate amended claim 1.

Worley does not disclose "a multiple port unit" comprising "a control unit . . . to *communicatively couple* said communication serial ports to a selected one of said network ports *based on the interrogation* of the network links" (emphasis added), as recited in claim 1. To reject these claim features, the Action cites column 7, lines 28-53 of Worley and states that Worley discloses coupling of the "remote device to the serial port to diagnose and test the device." See Action, page 2. Applicant is unclear how this statement from the Action can be construed to anticipate a control unit *communicatively coupling* a serial port to a selected network port *based on an interrogation* of a network link. Clarification of how this cited column of Worley and this argument presented in the Action anticipates the claimed functions performed by the control unit is respectfully requested.

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Applicant disagrees that this argument presented in the Action or this cited column of Worley anticipates claim 1. Worley does not disclose that the microcontroller 20 of the remote maintenance controller 100 communicatively couples a serial port to a selected network port based on an interrogation of a network link.

Instead, Worley discloses a wireless link between a wireless IP packet interface 70 of the microcontroller 20 and an ISP 120 and a wired link between the host computer 110 and the ISP 120. See Worley, FIG. 3, col. 6, ll. 48-64, col. 9, ll. 14-22. Worley discloses that a service technician may wirelessly retrieve information from a remote maintenance controller 100 to remotely identify problems associated with a host computer 110 before traveling to the site of the host computer 110. Specifically, Worley discloses that a "customer calls [the internet service provider] and says our Internet connection is not working." See Worley, col. 10, ll. 10-11. A service person wirelessly communicates with the host computer 110 using the wireless IP packet interface 70 of the remote maintenance controller 100 (also described in Worley as the "hot maintenance box") to remotely identify the problem with the host computer 110. See Worley, col. 6, ll. 48-64; col. 10, ll. 11-24. The service technician may retrieve "console messages" stored at the remote maintenance controller 100 from "serial ports that continuously monitor" the attached devices to identify the problem with the host computer 110. See Worley, col. 10, ll. 17-33. Thus, the service technician wirelessly communicates with the host computer 110 using the wireless IP packet interface 70 of the remote maintenance controller 100 to identify problems with the host computer 110.

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However, Worley does not disclose any relationship between an *interrogation* of a wired link between the host computer 110 and the ISP 120 and a wireless link using the wireless IP packet interface 70 and *communicatively coupling* the "serial ports" to a selected one of the wired link and the wireless link. More particularly, Worley does not disclose that the microcontroller 20 of the remote maintenance controller 100 *interrogates* the wired link between the host computer 110 and the ISP 120 and the wireless link using the wireless IP packet interface 70, and then, *based on the interrogation* of the wired link and of the wireless link, the microcontroller 20 communicatively couples the "serial ports" to either the wireless link of the wireless IP packet interface 70 or to the wired link to the ISP 20.

Rather, the purpose of Worley is to permit a service technician to *remotely* service computers without requiring the service technician to go onsite. See Worley, col. 2, ll. 62-64, col. 10, 9-13 *stating* "rather than sending out a service person, he dials into the 'hot maintenance box.'" The remote service technician is exclusively communicating with the remote maintenance controller 100 via the wireless packet interface 70 when communicating with the serial ports. See Worley, col. 10, ll. 20-24. Hence, the microcontroller 20 of the remote maintenance controller 100 in Worley does not communicatively couple the serial ports *based on an interrogation of the wired link* between the host computer 110 and the ISP 120 and the wireless link using the wireless IP packet interface 70. Therefore, Worley does not disclose "a multiple port unit" comprising "a control unit . . . to *communicatively couple* said communication serial ports to a selected one of said network ports *based on the interrogation of the network links*" (emphasis added), as recited in claim 1.

Accordingly, for at least the reasons discussed above, the Action has not shown that Worley anticipates claim 1 under 35 U.S.C. 102(e) and Applicant respectfully requests that the

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rejection be withdrawn. Claim 1 is believed to be in condition for allowance and allowance thereof is respectfully requested.

Claims 2-10 and 46-48, which depend from claim 1, also are believed to be in condition for allowance due to their dependence on an allowable claim and allowance thereof is respectfully requested.

Independent claims 11, 22, 30, and 40 are allowable for reasons analogous to those given in support of claim 1. Dependent claims 12-20, 23-29, 31, 33-39, and 41-45, which respectively depend from claims 11, 22, 30, and 40, also are believed to be in condition for allowance due to their dependence on an allowable claim and allowance thereof is respectfully requested.

### III. NEW CLAIMS

Claims 49-50 have been added to the application. These claims further recite "wherein said control unit identifies a network link not operating properly based on the interrogation," (see claim 49), and "wherein said control unit communicatively couples said communication serial ports to the selected one of said network ports to avoid the network link not operating properly" (see claim 50). Support for these amendments may be found on pages 8-10 and in FIGs. 1-3 of the instant application, for example. New claims 49-50 are believed to be in condition for allowance due at least due to their dependence on allowable claim 1.

Therefore, claims 1-31 and 33-50 are in condition for allowance and allowance thereof is respectfully requested.

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**CONCLUSION**

For at least the reasons outlined above, Applicant respectfully asserts that the application is in condition for allowance. Favorable reconsideration and allowance of the claims are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below. For any fees due in connection with filing this Response the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Date: 12-8-2006

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